

**CHARLOTTE COUNTY BOARD OF SUPERVISORS**

**ORDINANCE TO AMEND SECTIONS 66-123 AND 66-125 OF THE CHARLOTTE COUNTY CODE OF ORDINANCES PURSUANT TO VA. CODE ANN. § 58.1-2636**

WHEREAS, on February 8, 2021 the Charlotte County Board of Supervisors (“Board”) adopted a County ordinance which implemented revenue share for solar photovoltaic (energy) projects;

WHEREAS, the action taken by the Board on February 8, 2021 was incorporated into the County Code as Sections 66-123, 66-124 and 66-125;

WHEREAS, effective as of July 1, 2021, Va. Code Ann. § 58.1-2636 was amended;

WHEREAS, that amendment increased the annual tax of \$1,400.00 per megawatt on any solar photovoltaic (electric energy) project, or any energy storage system, effective July 1, 2026 and effective every five years thereafter, by 10 percent;

WHEREAS, the Board intends to amend County Code Sections 66-123(a) and 66-125(a) to provide that, after adoption of this ordinance, those County Code Sections would read as shown below.

NOW THEREFORE BE IT ORDAINED by the Charlotte County Board of Supervisors that Charlotte County Code Section 66-123(a) is hereby amended to read as follows:

Sec. 66-123. Purpose, Definition, Relation to Other Ordinances.

- (a) *The purposes of this article are to implement Va. Code Ann. § 58.1-2636 titled “Revenue Share for Solar Energy Projects” approved by the 2020 Regular Session of the Virginia General Assembly and signed into law by the Governor, effective July 1, 2020, and to reflect the amendment to Va. Code Ann. § 58.1-2636 approved by the 2021 Special Session I of the Virginia General Assembly and signed into law by the Governor, effective July 1, 2021.*

NOW THEREFORE BE IT FURTHER ORDAINED by the Charlotte County Board of Supervisors that Charlotte County Code Section 66-125(a) is hereby amended to read as follows:

Sec. 66-125. Revenue Share Rate Per Megawatt and Waiver of Machinery and Tool Tax.

- (a) *The County hereby imposes a revenue share (i) to be assessed at a rate of \$1,400.00 per megawatt, as measured in alternating current (AC) generation capacity of the nameplate capacity of the facility based on submissions by the facility owner to the interconnecting utility, on any solar photovoltaic (electric energy) project, or (ii) to be assessed at a rate of \$1,400.00 per megawatt, as measured in alternating current (AC) storage capacity, on any energy storage system. The \$1,400.00 per megawatt per year revenue share shall be increased on July 1, 2026, and every five years thereafter by 10 percent.*

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2022.

SUPERVISORS	YEA	NAY	ABSENT/ABSTAIN
Gary D. Walker	_____	_____	_____
Will D. Garnett	_____	_____	_____
Walter T. Bailey	_____	_____	_____
Garland H. Hamlett, Jr.	_____	_____	_____
M. Anthony Reeves	_____	_____	_____
Robert L. Shook, Jr.	_____	_____	_____
Hazel Bowman Smith	_____	_____	_____

The undersigned hereby certifies that the foregoing is an accurate account of the vote taken at a duly convened meeting of the Charlotte County Board of Supervisors on Monday, \_\_\_\_\_, 2022, at which meeting a quorum was present at the time the meeting was convened and at the time said vote was taken.

\_\_\_\_\_  
Clerk